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	BERNADETTE ESCUE		
7			
8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN JOSE DIVISION		
11			
12	UNITED STATES OF AMERICA,	) No. CR 07-00610 JF	
13	Plaintiff,	) STIPULATION AND [Proposed]	
14	v.	ORDER CONTINUING SENTENCING	
15	BERNADETTE ESCUE,	) )	
16	Defendant.	, )	
17		)	
18	Defendant Bernadette Escue, through counsel, and Plaintiff United States of America, through		
19	counsel, hereby stipulate as follows:		
20	1. Sentencing currently is set for February 20, 2008. By this stipulation and proposed order,		
21	the parties respectfully request that the sentencing hearing be continued to April 16, 2008.		
22	2. Ms. Escue has pled guilty to a violation of 18 U.S.C. § 1343 (mail fraud), having entered		
23	her plea on the first appearance before this Court.		
	3. On January 10, 2008, the Government produced FBI 302 reports to the defense. Upon		
24	the defense's review of the reports, the defense has determined that it needs to investigate certain		
25	matters contained in the reports which may be relevant to sentencing. This continuance is requested to		
26	permit the defense to do so. The length of the continuance (i.e., from February 20 to April 16) is		
27	necessary because the reports concern events and statements that are said to have occurred in 2004, and		
28	investigation of these matters may be more complic	cated and lengthy than usual.	

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1	4. Counsel for Ms. Escue has spoken with Lori Timmons, the U.S. Probation Officer who		
2	drafting the presentence report, and Ms. Timmons has indicated that she has no objection to this		
3	requested continuance and the new proposed sentencing date.		
4	5. In light of the foregoing, the parties respectfully request that the sentencing hearing be		
5	continued to April 16, 2008 at 9:00 a.n	n.	
6	IT IS SO STIPULATED.		
7	Dated: January 17, 2008	Joseph P. Russoniello United States Attorney	
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9		<u>/S/</u>	
10 11		Joseph A. Fazioli Assistant United States Attorney	
12			
	Dated: January 17, 2008	/S/	
13		Mark R. Vermeulen	
14		Attorney for Defendant BERNADETTE ESCUE	
15			
16	ORDER  Based on the foregoing stipulation, and good cause appearing,		
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18	IT IS HEREBY ORDERED that the sentencing hearing shall be continued to April 16, 2008 at		
19	9:00 a.m.		
20	IT IS SO ORDERED.		
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23	Dated:	Jeremy Fogel	
24		United States District Judge	
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